

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
	)	
v.	)	CAUSE NO.: 2:08-CR-62-RL-PRC
	)	
MISTI MARIE HATCHETT,	)	
Defendant.	)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE  
UPON A PLEA OF GUILTY BY DEFENDANT MISTI MARIE HATCHETT**

TO: THE HONORABLE RUDY LOZANO, JUDGE,  
UNITED STATES DISTRICT COURT

Upon Defendant Misti Marie Hatchett's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on November 12, 2008, with the consent of Defendant Misti Marie Hatchett, counsel for Defendant Misti Marie Hatchett, and counsel for the United States of America.

The hearing on Defendant Misti Marie Hatchett's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Misti Marie Hatchett under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Misti Marie Hatchett,

I FIND as follows:

(1) that Defendant Misti Marie Hatchett understands the nature of the charge against her to which the plea is offered;

(2) that Defendant Misti Marie Hatchett understands her right to trial by jury, to persist in her

plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and her right against compelled self-incrimination;

(3) that Defendant Misti Marie Hatchett understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Misti Marie Hatchett understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Misti Marie Hatchett has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Misti Marie Hatchett is competent to plead guilty;

(6) that Defendant Misti Marie Hatchett understands that her answers may later be used against her in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Misti Marie Hatchett's plea; and further,

I RECOMMEND that the Court accept Misti Marie Hatchett's plea of guilty to the offense charged in Count 1 of the Indictment and that Defendant Misti Marie Hatchett be adjudged guilty of the offense charged in Count 1 of the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Defendant Misti Marie Hatchett be adjudged guilty, sentencing will be held on **January 21, 2009, at 2:30 p.m.**, in the Hammond Division, before Judge Rudy Lozano. Objections to the Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B).

So ORDERED this 14th day of November, 2008.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT

cc: All counsel of record  
Honorable Rudy Lozano